

10/889802  
Rec'd PCT/PTO 12 DEC 2001IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roland Kreutzer  
Title: METHOD AND MEDICAMENT FOR INHIBITING THE  
EXPRESSION OF A DEFINED GENE  
Serial No.: 09/889,802  
Filed: July 20, 2001  
Docket: 33796

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE AND  
STATEMENT UNDER 37 CFR § 1.821(f)

Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Sir:

In response to the Notification of Defective Response dated December 4, 2001, (copy attached) applicant submits the following statement.

The sequence listing information recorded in computer readable form submitted with the Response dated November 2, 2001 is identical to that contained in the paper copy of the sequence listing information also submitted with said Response. The paper copy and computer readable form of the sequence listing information submitted with the Response of November 2, 2001 contain no new matter.

VIA FACSIMILE TRANSMISSION TO U.S. PATENT AND  
TRADEMARK OFFICE

ATTN: CHARITTA BURT  
FAX NO.: 1-703-305-3230  
TOTAL TRANSMISSION: 4 pages

I hereby certify that this correspondence is being transmitted via facsimile transmission to Charitta Burt of the United States Patent and Trademark Office at 1-703-305-3230 on the date indicated below.

Steven J. Solomon

Name of Agent for Applicant(s)

December 18, 2001


Date

Signature of Agent

Applicant notes from the Notification of Defective Response that there remains \$4 still due in the present application. Please charge this \$4 fee, as well as any additional fees required by this or any prior communication, to our Deposit Account No. 16-0820, Order No. 33796.

Respectfully submitted,

PEARNE & GORDON LLP

By:   
Steven J. Solomon, Reg. No. 48719

526 Superior Avenue East  
Suite 1200  
Cleveland, Ohio 44114-1484  
(216) 579-1700

Date: December 18, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

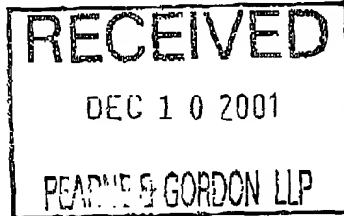
 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20235  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/889,802	Roland Kreutzer	33796

INTERNATIONAL APPLICATION NO.
PCT/DE00/00244

IA FILING DATE	PRIORITY DATE
01/29/2000	01/30/1999

John P. Murtaugh  
 Pearne & Gordon  
 526 Superior Avenue East  
 Suite 1200  
 Cleveland, OH 44114-1484



CONFIRMATION NO. 8835  
 371 FORMALITIES LETTER



\*OC000000007140835\*

Date Mailed: 12/04/2001

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - APPLICANT MUST PROVIDE:
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

Additionally the following defects have been observed:

- Additional claim fees of \$4 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$4 for a Small Entity:

- Total additional claim fee(s) for this application is \$4
  - \$4 for 2 independent claims over 3.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO	ATTY. DOCKET NO.
09/889,802	PCT/DE00/00244	33796

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\*\*\* RX REPORT \*\*\*  
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RECEPTION OK

TX/RX NO	8964	
CONNECTION TEL		216 579 6073
SUBADDRESS		
CONNECTION ID	PEARNE GORDON	
ST. TIME	12/18 13:41	
USAGE T	00'38	
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RESULT	OK	